



OVERSIGHT AND
COMPLIANCE

OFFICE OF THE DEPUTY CHIEF MANAGEMENT OFFICER
9010 DEFENSE PENTAGON
WASHINGTON, DC 20301-9010

MEMORANDUM FOR COMMITTEE MANAGEMENT SECRETARIAT, GENERAL
SERVICES ADMINISTRATION

SUBJECT: Charter Renewal and Membership Balance Plan Consultation – Department of
Defense Wage Committee

The Department of Defense, pursuant to the Federal Advisory Committee Act of 1972, as amended, intends to renew the charter for the Department of Defense Wage Committee (“the Committee”) (attached). The Committee will operate under the provisions of the Federal Advisory Committee Act of 1972 (5 U.S.C., Appendix, as amended) and in accordance with 41 CFR § 102-3.50.

Prior to filing the Committee’s charter with the Library of Congress and the appropriate congressional committees the Department of Defense respectively requests that the Committee Management Secretariat review and approve the proposed charter and membership balance plan (attached). Both documents has been reviewed and approved by the Office of the General Counsel for the Department of Defense.

If you should have any questions about this charter please contact my point of contact, Len O’Reilly, at 703-692-5949.

FREEMAN.J
AMES.D.II.1
043158844

Digitally signed by
FREEMAN.JAMES.D.II.1043158844
DN: c=US, o=U.S. Government,
ou=DoD, ou=PKI, ou=OSD,
cn=FREEMAN.JAMES.D.II.104315
8844
Date: 2016.10.31 10:42:31 -04'00'

James D. Freeman II
Advisory Committee Management
Officer for the Department of Defense

Attachments
As stated

Charter
Department of Defense Wage Committee

1. Committee's Official Designation: The committee will be known as the Department of Defense Wage Committee ("the Committee").
2. Authority: The Secretary of Defense, pursuant to 5 U.S.C. § 532, Federal Wage System (Public Law 92-392) and in accordance with the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., Appendix, as amended) and 41 C.F.R. § 102-3.50(c), established this non-discretionary Committee.
3. Objectives and Scope of Activities: The Committee shall provide advice and recommendations on matters relating to the conduct of wage surveys and the establishment of wage schedules for all appropriated fund and non-appropriated fund wage areas, as set out in paragraph 4 below.
4. Description of Duties: As directed by 5 U.S.C. §§ 532.243, 532.209, 532.227 and Appendix A; FACA; the Federal Wage System (Public Law 92-392); and the Office of Personnel Management Operating manual, Federal Wage System, Appropriated and Non-Appropriated Fund, shall provide the Secretary and Deputy Secretary of Defense, through the Under Secretary of Defense for Personnel and Readiness (USD(P&R)), independent advice and recommendations on all matters relating to the conduct of wage surveys and the establishment of wage schedules for all appropriated fund and non-appropriated fund wage areas of blue-collar employees within the Department of Defense (DoD).
5. Agency or Official to Whom the Committee Reports: The Committee reports to the Secretary of Defense and/or the Deputy Secretary of Defense, through the USD(P&R). The USD(P&R), or designated representative, pursuant to DoD policy, may act upon the Committee's advice and recommendations.
6. Support: The DoD, through the Office of the USD(P&R) and the Defense Human Resources Activity, Civilian Personnel Management Service, Wage and Salary Division, shall support the Committee and shall ensure compliance with requirements of the FACA, the Government in the Sunshine Act of 1976 (5 U.S.C. § 552b, as amended) ("the Sunshine Act"), governing Federal statutes and regulations, and established DoD policies and procedures.
7. Estimated Annual Operating Costs and Staff Years: The estimated annual operating cost, to include travel, meetings, and contract support, is approximately \$36,000.00. The estimated annual personnel cost to the DoD is 0.3 full-time equivalents.
8. Designated Federal Officer: The Committee's Designated Federal Officer (DFO), pursuant to DoD policy, shall be a full-time or permanent part-time DoD employee, and shall be appointed in accordance with established DoD policies and procedures.

The Committee's DFO is required to be in attendance at all meetings of the Committee and any subcommittees for the entire duration of each and every meeting. However, in the absence of the Committee's DFO, a properly approved Alternate DFO duly designated to the

Charter
Department of Defense Wage Committee

Committee according to established DoD policies and procedures, must attend the entire duration of all of the Committee or subcommittee meetings.

The DFO, or the Alternate DFO, calls all Committee and subcommittee meetings; prepares and approves all meeting agendas; and adjourns any meeting when the DFO, or the Alternate DFO, determines adjournment to be in the public interest or required by governing regulations or DoD policies and procedures.

9. Estimated Number and Frequency of Meetings: The Committee meets at the call of the Committee's DFO, in consultation with the Committee's Chair. The estimated number of Committee meetings is twenty-six per year.
10. Duration: The need for this advisory function is on a continuing basis; however, this charter is subject to renewal every two years.
11. Termination: The Committee shall terminate upon completion of its mission or two years from the date this charter is filed, whichever is sooner, unless the Secretary of Defense or his designee extends it.
12. Membership and Designation: Under the provisions of 5 U.S.C. § 532.227, the Committee shall be composed of seven members – a chair and six additional members.

One member shall be designated by each of the two labor organizations having the largest number of wage employees covered by exclusive recognition in the DoD—the American Federation of Government Employees, and the Metal Trades Department of the AFL-CIO. Each labor organization selects one individual to represent it and its stakeholders, and each individual serves as a representative member.

The appointment of Committee members will be authorized by the Secretary of Defense or the Deputy Secretary of Defense and administratively certified by the USD(P&R), as the Sponsor, for a term of service of one-to-four years, with annual renewals, in accordance with DoD policies and procedures. Members of the Committee who are not full-time or permanent part-time Federal officers or employees will be appointed as experts or consultants pursuant to 5 U.S.C. § 3109 to serve as special government employee (SGE) members. Committee members who are full-time or permanent part-time Federal officers or employees will be appointed pursuant to 41 C.F.R. § 102-3.130(a) to serve as regular government employee (RGE) members. No member, unless authorized by the Secretary of Defense or the Deputy Secretary of Defense, may serve more than two consecutive terms of service on the Committee, to include its subcommittees, or serve on more than two DoD federal advisory committees at one time.

Consistent with Deputy Secretary of Defense policy, the USD(P&R) may appoint the Committee's Chair from among the membership previously approved according to DoD

Charter
Department of Defense Wage Committee

policies and procedures and in doing so, shall determine the term of service for the Committee's Chair, which shall not exceed the member's approved term of service.

Except for reimbursement of official Committee-related travel and per diem, Committee members serve without compensation.

13. Subcommittees: DoD, when necessary and consistent with the Committee's mission and DoD policies and procedures, may establish subcommittees, task forces, or working groups to support the Committee. Establishment of subcommittees will be based upon a written determination, to include terms of reference, by the Secretary of Defense, the Deputy Secretary of Defense, or the USD(P&R), as the Committee's Sponsor.

Such subcommittees will not work independently of the Committee and shall report all of their recommendations and advice solely to the Committee for full and open deliberation and discussion. Subcommittees, task forces, or working groups have no authority to make decisions and recommendations, verbally or in writing, on behalf of the Committee. No subcommittee or any of its members can provide updates or reports, verbally or in writing, on behalf of the Committee, directly to the DoD or any Federal officers or employees. If a majority of Committee members are appointed to a particular subcommittee, then that subcommittee may be required to operate pursuant to the same notice and openness requirements of the FACA which govern the Committee's operations.

Pursuant to Secretary of Defense policy, the USD(P&R) is authorized to administratively certify the appointment of subcommittee members if the Secretary of Defense or the Deputy Secretary of Defense has previously authorized the individual's appointment to the Committee or another DoD advisory committee. If this prior authorization has not occurred, then the individual's subcommittee appointment must first be authorized by the Secretary of Defense or the Deputy Secretary of Defense and subsequently administratively certified by the USD(P&R).

Subcommittee members will be appointed for a term of service of one-to-four years, subject to annual renewals, according to DoD policies and procedures; however, no member shall serve more than two consecutive terms of service on the subcommittee, without Secretary of Defense or Deputy Secretary of Defense authorization. Subcommittee members, if not full-time or permanent part-time Federal officers or employees, will be appointed as experts or consultants pursuant to 5 U.S.C. § 3109 to serve as SGE members. Subcommittee members who are full-time or permanent part-time Federal officers or employees will be appointed pursuant to 41 C.F.R. § 102-3.130(a) to serve as RGE members.

Consistent with Deputy Secretary of Defense policy, the USD(P&R) may appoint the subcommittee's Chair from among the membership previously authorized by the Secretary of Defense or Deputy Secretary of Defense and in doing so, shall determine the term of service for the subcommittee's Chair, which shall not exceed the member's approved term of service.

Charter
Department of Defense Wage Committee

Each member, based upon his or her individual professional experience, provides his or her best judgment on the matters before the Committee, and he or she does so in a manner that is free from conflict of interest.

With the exception of reimbursement for travel and per diem as it pertains to official travel related to the Committee or its subcommittees, subcommittee members shall serve without compensation.

All subcommittees operate under the provisions of the FACA, the Sunshine Act, governing Federal statutes and regulations, and established DoD policies and procedures.

14. Recordkeeping: The records of the Committee and its subcommittees shall be handled in accordance with General Records Schedule 6.2, Federal Advisory Committee Records, or other approved agency records disposition schedule, as well as the appropriate DoD policies and procedures. These records will be available for public inspection and copying, subject to the Freedom of Information Act of 1966 (5 U.S.C. § 552, as amended).
15. Filing Date:

Membership Balance Plan
Department of Defense Wage Committee

Agency: Department of Defense (DoD)

1. Authority: The Secretary of Defense, pursuant to 5 U.S.C. § 532, Public Law 92-392 and in accordance with the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., Appendix, as amended) and 41 C.F.R. § 102-3.50(c), established the Department of Defense Wage Committee ("the Committee"), a non-discretionary advisory committee.
2. Mission/Function: Pursuant to 5 U.S.C. §§ 532.243, 532.209, 532.227 and Appendix A; FACA; and the Office of Personnel Management Operating Manual, Federal Wage System, Appropriated and Non-Appropriated Fund, the Committee shall provide the Secretary of Defense and the Deputy Secretary of Defense, through the Under Secretary of Defense for Personnel and Readiness (USD(P&R)) independent advice and recommendations on matters relating to the conduct of wage surveys and the establishment of wage schedules for all appropriated fund and non-appropriated fund wage areas of blue-collar employees within the Department of Defense (DoD).
3. Points of View: The Committee, pursuant to 5 U.S.C. § 532.227, shall be composed of seven members – a chair and six additional members.

The remaining six positions consist of two labor organization representatives and four members who are regular government employees (RGE) and are divided into two broad categories – labor and management. Each category has two voting members; in the case of management category, the two voting members will change depending upon which two DoD Components, as determined by the Chair, have the largest number of wage employees in the wage areas under consideration.

Those individuals representing the labor organizations are selected by the labor organizations to provide the committee with the points of view of nongovernment entities or a recognizable group of persons that have interests in the subject matter under consideration by the Committee. Whereas, those individuals, to include the Chair, who represent the DoD Components, and are RGE members are appointed by the Secretary of Defense to exercise their own individual best judgment on behalf of the government.

Committee members, who are not full-time or permanent part-time Federal officers or employees, will be appointed as experts or consultants pursuant to 5 U.S.C. § 3109 to serve as special government employee (SGE) members. Committee members who are full-time or permanent part-time Federal officers or employees will be appointed pursuant to 41 C.F.R. § 102-3.130(a) to serve as RGE members.

The DoD, in selecting potential candidates for the Committee, reviews the educational and professional credentials of individuals and bases its selection on this review and the subject matters being handled by the Committee. The DoD has found that viewing the complex issues facing the DoD through a multidisciplinary advisory committee, provides the DoD and, more importantly, the American public

Membership Balance Plan
Department of Defense Wage Committee

with a broader understanding of the issues on which subsequent policy decisions will be based.

The Committee's membership balance is not static, and the Secretary of Defense may change the membership based upon work assigned to the Committee by the Secretary of Defense, the Deputy Secretary of Defense, or the USD(P&R), as the Sponsor. The DoD, unless otherwise provided for by statute or Presidential directive, does not use representative members on DoD-established or supported advisory committees.

4. Other Balance Factors: NA
5. Candidate Identification Process: The DoD, in selecting potential candidates for the Committee, reviews the educational and professional credentials of individuals with extensive professional experience in matters relating to the conduct of wage surveys and the establishment of wage schedules for all appropriated and non-appropriated fund wage areas of blue-collar employees within the DoD.

Potential RGE candidates are from the DoD and those Components with the largest number of wage employees within DoD and are identified by senior DoD officials, the Military Departments, and the Defense Logistics Agency.

The remaining two candidates are representatives of the two labor organization having the largest number of wage employees covered by exclusive recognition in the DoD—the American Federation of Government Employees, and the Metal Trades Department of the AFL-CIO. Each labor organization selects one individual to represent it and its stakeholders, and each individual serves as a representative member.

Once potential candidates are identified, the Designated Federal Officer, in consultation with the USD(P&R), will review the credentials of each individual and narrows the list of candidates. During the review, he or she strives to achieve a balance between the professional credentials of the individuals and the near-term subject matter to be reviewed by the Committee to achieve expertise in points of view to be represented and functions to be performed.

Once the USD(P&R) has narrowed the list of candidates and before formal nomination to the Secretary of Defense or the Deputy Secretary of Defense, the list of candidates will undergo a review by the Office of the General Counsel for the Department of Defense and the Office of the Advisory Committee Management Officer to ensure compliance with Federal and DoD governance requirements, including compliance with the Committee's statute, charter, and membership balance plan. Following this review, the USD(P&R) discusses his or her potential nominees with the Secretary of Defense or the Deputy Secretary of Defense and requests authority to proceed with the nominations.

Membership Balance Plan
Department of Defense Wage Committee

The USD(P&R) is authorized to administratively certify the appointment of Committee members that were previously authorized by the Secretary of Defense or the Deputy Secretary of Defense. Consistent with Deputy Secretary of Defense policy and the authority delegated to the Advisory Committee Management Officer (ACMO) by the Assistant Deputy Chief Management Officer, the ACMO is authorized to administratively certify the annual renewal of appointment of Committee members previously approved according to DoD policies and procedures. Consistent with the Deputy Secretary of Defense policy, the USD(P&R) may appoint the Committee's Chair from among the membership previously authorized by the Secretary of Defense or Deputy Secretary of Defense and, in doing so, shall determine the term of service, which shall not exceed the member's approved term of service.

Following the Secretary of Defense or the Deputy Secretary of Defense authorization and the USD(P&R)'s subsequent administrative certification of the appointment, the candidates are required to complete the necessary appointment paperwork, to include meeting the appropriate ethics requirements stipulated by the Office of Government Ethics for advisory committee members.

Committee members will be appointed for a term of service of one-to-four years, subject to annual renewals, according to DoD policies and procedures. No member, unless authorized by the Secretary of Defense or the Deputy Secretary of Defense, may serve more than two consecutive terms of service on the Committee, to include its subcommittees, or serve on more than two DoD federal advisory committees at one time.

Membership vacancies for the Committee will be filled in the same manner as described in the previous eight paragraphs above.

6. Subcommittee Balance: DoD, when necessary and consistent with the Committee's mission and DoD policies and procedures, may establish subcommittees, task forces, or working groups to support the Committee.

Individuals considered for appointment to any subcommittee of the Committee may come from the Committee itself or from new nominees, as recommended by the USD(P&R) and based upon the subject matter under consideration. Pursuant to Secretary of Defense policy, the USD(P&R) is authorized to administratively certify the appointment of subcommittee members if the Secretary of Defense or the Deputy Secretary of Defense has previously authorized the individual's appointment to the Committee or another DoD advisory committee. If this prior authorization has not occurred, then the individual's subcommittee appointment must first be authorized by the Secretary of Defense or the Deputy Secretary of Defense and subsequently administratively certified by the USD(P&R).

Consistent with Deputy Secretary of Defense policy, the USD(P&R) may appoint the subcommittee's Chair from among the membership previously authorized by the

Membership Balance Plan
Department of Defense Wage Committee

Secretary of Defense or Deputy Secretary of Defense and, in doing so, shall determine the term of service, which shall not exceed the member's approved term of service.

Subcommittee members will be appointed for a term of service of one-to-four years, subject to annual renewals; however, no member shall serve more than two consecutive terms of service on the subcommittee, without prior authorization by the Secretary of Defense or the Deputy Secretary of Defense. Subcommittee members, if not full-time or permanent part-time Federal officers or employees, will be appointed as experts or consultants pursuant to 5 U.S.C. § 3109 to serve as SGE members. Subcommittee members who are full-time or permanent part-time Federal officers or employees will serve as RGE members pursuant to 41 C.F.R. § 10-3.130(a).

7. Other: As nominees are considered for appointment to the Committee and/or its subcommittees, the DoD adheres to the Office of Management and Budget's Revised Guidance on Appointment of Lobbyists to Federal Advisory Committees, Boards, and Commissions (79 FR 47482; August 13, 2014) and the rules and regulations issued by the Office of Government Ethics.
8. Date Prepared/Updated: